

- Objectives:** People
- Outcome:** 1.3 - A safe place to live.
- Strategy:** 1.3.1 - Comply with relevant local and state laws, in the interests of the community.

Purpose

To allow outdoor, unique, and high quality food vending activities for the local community and tourist population and in so doing, protecting the retail sector whilst maintaining public health.

Definitions

Mobile Food Vending is defined as the use of the public places for preparing and dispensing food products by Mobile Food Vendors.

Mobile Food Vendor includes caravans, vehicles, trailers, carts, and/or trucks.

Public Place includes a street, way or place, which the public are allowed to use, whether the street, way or place is or is not on private property. It shall also include parklands, squares, reserves and other lands set apart for the use and enjoyment of the inhabitants of the District and includes all lands vested in or under the care, control or management of the Shire.

Itinerant Food Vendor means a person who travels along a road looking for customers and who sells a product from a vehicle which stops temporarily to serve customers who stop the vendor or come to the vendor whilst the vehicle is stopped.

Policy

1. The Shire encourages the use of public places for outdoor Mobile Food Vendors as a means of place activation and enhancing community social interaction and wellbeing.
2. The Shire supports Mobile Food Vendors that practice safe food handling in accordance with the *Food Act 2008* and consider the needs of all users of the area, including the safety of consumers and pedestrians.
3. The Shire seeks Vendors who provide high quality non-standard food options and/or whose vehicle presentation contributes to the character and energy of the area will be given priority.
4. The Shire supports all food outlets, including food vendors, to provide a variety of healthy and nutritious food choices.
5. Food vendors are to comply with all relevant state and local laws in relation to noise, parking, and traffic, etc.



Applications

The Shire will consider application for mobile food vendors subject to statutory health provisions and requirements that:

1. Vehicle(s) be kept fully self-contained and mobile at all times;
2. All stock to be kept within the confines of the vehicle;
3. Erection of structures or umbrellas not permitted, unless otherwise approved;
4. No signs allowed on road reserves except on vehicle;
5. Maximum stopping time in any one location – two hours if trading, 30 minutes if not;
6. No trading permitted on any land under the control of Main Roads WA; and
7. Trading must not occur within 500 metres of any existing shops or licence holders which offer for sale the same commodities, unless written permission has been obtained from the shop or licence holder, or unless hours of operation are outside those offered by the existing business.

Provisions for Itinerant Food Vendors

The above provisions apply as well as:

1. Only remain at a particular location for as long as there is a customer making a purchase. If there is no customer making a purchase, the permit holder must move on from that location as soon as practicable from the last transaction; and
2. The Shire does not permit the playing of music, or any other forms of noise to attract customers, whilst the mobile food vendor is stopped.

**References**

Name of Policy	4.4.2 Mobile Food Vendors			
Previous Policy	HSP1 – Food Vendors – Itinerant (E15/5096)			
Date of Adoption and Resolution Number				
Review dates and Resolution Numbers	Reviewed	SM047/05/04	24/05/2004	Ordinary Council Meeting
	Reviewed	OCM187/09/15	29/09/2015	Ordinary Council Meeting
	Modified	OCM179/12/17	18/12/2017	Ordinary Council Meeting
Next review date				
Related documents	<p>Acts/Regulations <i>Local Government Act 1995</i> <i>Food Act 2008</i> <i>Trading in Public Places Local Law</i></p> <p>Plans/Strategies Strategic Community Plan 2017 – 2027 Health and Wellbeing Strategy 2016 – 2019</p> <p>Policies Nil</p> <p>References Nil</p> <p>Delegations</p> <p>Work Procedures Nil</p>			

Note: changes to references may be made without the need to take the Policy to Council for review.